

## BOARD OF SELECTMEN

January 27, 2009  
Minutes

The Board of Selectmen met on Tuesday, January 27, 2009 in the Town Hall Clark Room. Selectmen Douglas A. G. Stevenson, John D. Williams, William R. Tice, Jr., Alan Carpenito, Timothy F. Hult, and Town Administrator Madonna J. McKenzie were present.

Mr. Hult acknowledged the passing of Peter Scholten and offered condolences to his family. Mr. Stevenson said the Town is facing some very challenging issues. He asked that in the days ahead, if everyone could kindly keep the following three things in mind: civility, collaboration and consideration. Mr. Stevenson also mentioned the Council on Aging Town-wide survey. He urged everyone to complete the survey and return same to Town Hall.

### Town Administrator Report

Mrs. McKenzie said at a recent School Building Committee the amount of \$120.00 was brought together to establish the School Building Committee Gift Account. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to accept the gift of \$120.00 and establish a School Building Committee Gift Account.

Mrs. McKenzie said that Boy Scout Troop 135 has once again asked the Board's permission to hold their annual fund-raising Fertilizer Sale at the Transfer Station. On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to approve the use of the Transfer Station for the Boy Scouts, Troop 135, annual fund-raising Fertilizer Sale on February 28<sup>th</sup> and March 7<sup>th</sup>.

Mrs. McKenzie said Minuteman Regional High School is requesting that the Board place an article on the Annual Town Meeting Warrant to establish a stabilization fund by the Minuteman Regional Vocational Technical School District. She said the funding would occur from internal fund transfers or from future warrant article requests. Mrs. McKenzie said the intent for this Stabilization Fund is to fund future capital expenditures. After a brief discussion, the Board decided they would like more information on this matter. Mrs. McKenzie will arrange for a representative from Minuteman to attend a future meeting to discuss this proposed article.

Mrs. McKenzie said the Concord Carlisle Regional School District has removed its request for a Warrant Article for a Supplemental Assessment for FY09.

The Board has received a letter from Jane Anderson of the Carlisle Garden Club confirming the support of the Garden Club to provide the Town with the installation of an in-ground sprinkler system to be installed on the narrow garden areas on either side of the front doorway of the Town Hall. Ms Anderson will be in charge of this project.

The Personnel Board reviewed the Employee Recognition Draft Policy and has recommended a few changes. Mr. Stevenson said he and Mr. Tice will look at the Personnel Boards edits and work at incorporating them into the document.

Mrs. McKenzie presented the *Act to Promote Rational Affordable Housing Planning* prepared by Daniel Hill, Esq. The Board decided to discuss the document further at a future meeting.

### **Appointments and Resignations**

On a motion made by Mr. Tice and seconded by Mr. Williams, it was unanimously **VOTED** to accept the resignation of Doris Jafferian from the Personnel Board with gratitude for her service.

On a motion made by Mr. Williams and seconded by Mr. Tice, it was unanimously **VOTED** to accept the resignation of Christy Barbee from the School Building Committee with gratitude for her service.

On a motion made by Mr. Williams and seconded by Mr. Tice, was unanimously **VOTED** to appoint Linda Vanaria to the School Building Committee for a term of one year.

On a motion made by Mr. Williams and seconded by Mr. Tice it was unanimously **VOTED** to appoint Marc Lamere to the Conservation Restriction Advisory Committee for a term of one year.

On a motion made by Mr. Tice and seconded Mr. Carpenito, it was unanimously **VOTED** to appoint Dan Cook to the Energy Audit Committee.

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On a motion made by Mr. Tice and seconded by Mr. Hult it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen meeting of January 13, 2009.

### **Liaison Reports**

Mr. Hult said Community Preservation Committee will begin reviewing the four proposals submitted to them on February 2<sup>nd</sup>. He said they will begin with the Highland Building and the Cranberry Bog at the first meeting and the Open Space and Recreation Plan and the Library at the following meeting.

Mr. Hult said he and Mr. Carpenito have been working on the renewal of the Police Chief's contract. That discussion will be held later during Executive Session.

Mr. Williams said the Housing Trust should begin the process of updating and revising the Housing Production Plan. He said this will require two members from the Board of Selectmen, two members from the Planning Board and two members from the Housing Authority. Mr. Williams said he would like to start the process in the spring. The present plan expires in the fall of 2010.

### **Public Hearing for the Layout of Carriage Way**

Mr. Stevenson opened the Carriage Way Public Hearing. Mrs. McKenzie presented a map of the Carriage Way area. Mr. Stevenson read the memo from the Planning Board, which stated that they voted on November 24, 2008 to recommend that Carriage Way be layed-out as proposed, finding that on December 7, 2007, the [Planning] Board had issued a Certificate of Completion for the Carriage Way Definitive Subdivision Plan. That action certified that the roadway has been built according to the approved plan and the standards contained in the Planning Board's Rules and Regulations. Mr. Stevenson said tonight is the legally required Public Hearing. The Board did not have any questions relative to the documents presented. There were a few abutters present for this hearing. Randy Bisson from 106 Carriage Way asked a few questions about when the Layout of Carriage Way would be complete. It was explained to Mr. Bisson that it takes a Town Meeting vote to complete the process. Christine Melvin of 163 Carriage Way asked if the abutters/residents of Carriage Way needed to be at the Town Meeting and if so, did they need to bring financial paperwork too. The answer was 'no paperwork was required from the residents on Carriage Way, but their presence was very welcome and encouraged at Town Meeting'.

On a motion made by Mr. Tice and seconded by Mr. Hult, it was unanimously **VOTED** to layout Carriage Way according to the 'as built' plan and profile revised date July 10, 2007, trees added.

On a motion made by Mr. Hult and seconded by Mr. Tice, it was unanimously **VOTED** to close the Public Hearing on the layout of Carriage Way.

### **Conservation Commission /Stewardship Committee – Land**

Henry Cox from the Trails Committee spoke to Board about a parcel of land, approximately 1 acre in size, which is land locked without road access. He said the land is accessible to the public through Board of Selectmen

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a trail easement over abutting private land. This parcel, identified on the Carlisle Assessor's maps as Map 5 Parcel 46, has been Town-owned land since 1983 due to nonpayment of taxes by unknown owners. Mr. Cox said the Conservation Commission is requesting that the Board of Selectmen transfer this parcel of land to the Conservation Commission so it can provide permanent protection because it forms an important link in the West Street conservation corridor and trail system. This system would serve as Carlisle's Western Corridor, and as noted in the 2006 Open Space and Recreation Report, an underserved area of the Town. Warren Lyman from the Land Stewardship Committee called this a linkage that is permanently protected. The Land Stewardship Committee will look after this parcel too. Wayne Davis from the Carlisle Conservation Foundation said that they have been working with the Trails Committee, and linkage is the operative word. This parcel will complete the corridor.

Mr. Williams thanked the Trails Committee and Conservation Commission for this presentation. He said the Board would not take any action tonight, but would discuss this matter again at the next meeting.

### **Liaison Reports (continued)**

Mr. Williams said that he has attended another Carlisle teacher's contract negotiating meeting and that the contents of that session would be discussed later in Executive Session.

Mr. Carpenito mentioned the importance of filling out the Council on Aging Survey and returning the completed form to Town Hall.

Mr. Hult said he and Mr. Stevenson had the opportunity to talk with a few members of the Carlisle School Committee relative to the regionalization of the Superintendents position. He said the School Committee indicated that they would like to attend a Board of Selectmen's meeting to discuss this matter in more detail before any action is made.

### **Audit Committee**

Simon Platt and Debra Belanger from the Audit Committee were present for this discussion. The purpose for this discussion was to review the Management Letter, Report on Internal Control and Financial Statements prepared by the Town Auditors, Sullivan, Rogers & Company, LLC.

The Management Letter Simon said the Financial Department was in good shape and only good comments were made about Larry Barton, Finance Director and Priscilla Dumka, Town Accountant. He said there were minor observations about the transfer station and the sticker use.

The Financial Statements Simon referred to the section of the Financial Statement that addressed the Stabilization Fund. (General Fund and Stabilization Fund Trends.) He said he spoke with Larry about the intent to put money back into the Stabilization Fund and a warrant article relative to same. Simon then spoke briefly about the Future implementation of GASB pronouncements.

Mr. Hult asked Simon what the Board should be monitoring and what measures he saw as critical. Simon replied controls and cash flow projection. He said not so much the salaries in the Town, but the expenditures. Simon said the Audit Committee recommended that the Board adopt the Town Audit Report of 2008. On a motion made by Mr. Tice and seconded by Mr. Hult it was unanimously **VOTED** to adopt the Independent Auditors' Report on Basic Financial Statements and Required Supplementary Information, dated June 30, 2008, the Town of Carlisle Management Letter, dated June 30, 2008 and the Report on Internal Control Over Financial Reporting and other Matters, dated September 19, 2008.

### **Initial Discussion – Possible LIP – Mr. Chen**

Mr. Chen came to the Board with a power-point presentation outlining his proposal of four (4) affordable units and six (6) market rate units on Lot 6 Maple Street/Red Fox Drive. Mr. Stevenson said Mr. Chen's presentation was an introduction to a Local Initiative Project. Mr. Chen spoke about the lot, describing it as being 'out of sight' from Maple Street and Red Fox Drive, with dense natural screening between abutter's houses. He said there is a large distance from all abutter's wells. Mr. Chen spoke about the site access. He said the main day-to-day residential access would be on Maple

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Street and the bridge crossing the brook that was once approved. Mr. Chen talked about the positive aesthetics of his project. He said it would have no negative visual impact to Carlisle's rural character. Besides having attractive building features, it has appealing landscapes. He felt that it would have a positive impact on the community. Mr. Chen said he hoped to work with the Town and Community. He realized that he would have to apply to the DEP to reinstate the expired Maple Street road/bridge across the brook. It was also his goal to improve the future safety of the residents in the development by having two accesses, and improve the access for emergency vehicles. In response to Mr. Tice, Mr. Chen said the size of the lot is 4.3 acres. In response to Mr. Carpenito, Mr. Chen said the frontage on Maple Street is approximately 40 feet. In response to Mr. Stevenson, Mr. Chen said he spoke to a few neighbors about the project. In response to Mr. Hult, Mr. Chen said the market rate units would sell for approximately \$650,000. The Board discussed what procedure to follow for a local initiative project. Mr. Williams said the other Boards should meet Mr. Chen. He suggested that perhaps the Planning Board would like to meet Mr. Chen separately. Mr. Tice suggested the Conservation Commission too. Mr. Hult said the other Boards should meet with him informally before we meet with Mr. Chen again. Mr. Tice asked Mr. Chen if he had any experienced any preliminary engineering work. Mr. Chen said this was his first project. Mr. Stevenson accepted a few comments from those present.

Bob Zielinski, *Mosquito* Reporter asked Mr. Chen a question about the homeowner's association's interest in Red Fox Drive and this project. Jonathan Stevens from 871 Maple Street said he was not in favor of the project because he was fearful of the affect it will have on the environment in the area. Mr. Hajducky from 45 Red Fox Drive said he too was not supporting this project. David Freedman, associate member of the Planning Board suggested to the Board that as they discuss the next steps, they should not decide on how to involve the other Boards. He said as far as he knew, the Zoning Board of Appeals, Conservation Commission, Planning Board, and Board of Health were not aware of this project and they only found out by mistake. David said he thought it would be useful for a discussion on what makes sense as process among these boards, rather than this Board making a decision tonight as to where it is going to go next. He said it would be premature to have Mr. Chen come to the Boards and Committees at this time. Mr. Stevenson said it is unfortunate that we don't have a clear process for Local Initiative Projects, but that cannot be something that prevents us from moving forward in some logical way. Mr. Stevenson suggested the Land Use Committee meet and discuss this project and help us initiate a process. Mr. Hult said Mr. Freedman made a very good point, and we do not have a process for Local Initiative Projects. However there should be some middle ground so that we can move ahead with this. He said perhaps we can use this project as an opportunity to formulate a process.

Mr. Tice asked in what timeframe the Board would get back to Mr. Chen, so he will have a sense of what the next steps might be. Mr. Stevenson said in about four to six weeks we will know what process to follow. Ed Rolfe, Chairman of the Zoning Board of Appeals, 916 Maple Street suggested reading the interim report from the 40B working group. He said the LIP process has not really been defined but there may be elements in there that could be helpful. Ed said he too is an abutter and that his driveway is at the end of Red Fox Drive, and that is the width of Maple Street. Mr. Stevenson thanked Mr. Chen for his presentation.

### **Housing Authority – Benfield Affordable Housing**

(Mr. Carpenito recused himself from this discussion)

Alan Lehotsky, Chairman of the Housing Authority was present to give an update on the status of the Benfield Housing project. Alan said the Housing Authority has received extensive community input. He said they have a development for 26 units, and have received 46 applications for those units. Alan said the RFP for the development went out in August. They received three (3) proposals to the RFP. The name of the firm they chose is NOAH. Alan said in February the Housing Authority will have a preliminary meeting with the Boards to go over what the developer is proposing to do. Alan said the Housing Authority will meet again after that to go over what is going to be built. Alan said their basic goal is to get into the next funding round, which is in June. He said

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it usually take two tries to get funds from the State, so he felt if the Town tried in June and failed then, they could try again in December. Alan said the Housing Authority would like to meet with the Selectmen on February 24<sup>th</sup> with plans. After that they will need community meetings to obtain feedback. Alan said they need to meet with the Zoning Board of Appeals; however the developer suggested they have concurrent hearings with the Conservation Commission and Zoning Board of Appeals for time efficiency sake.

### **FY09 Revised Budgets**

Mr. Stevenson thanked all the departments for their cooperation in preparing their budget reductions. He said he asked the Finance Committee to look at these reductions and make a recommendation as to how the Board should move forward. Mr. Stevenson went over a document of estimated changes in the FY09 Revenues. The second document presented showed what has been received from the State up until December 31, 2008. Mr. Stevenson said the good news is that the Boards have identified 2% reductions. The Board discussed the budget reductions identified by the Town Departments. The next discussion was about the 2% reductions the Finance Committee recommended from these identified department reductions. The reductions the FinCom recommended totaled \$235,843.00.

The chosen reductions were from the following: \$110,000- unemployment Insurance; CPS- gas and electricity; \$43,950-contracted for special education; \$9,957-Town Counsel services; Treasurer's department in training; Assessors- appraiser fees; Town Hall- computer maintenance and telephone; Police- education; Inspection Services- legal expenses and engineering; Street lighting; Board of Health- office supplies and dues & subscriptions. He said all of the Departments were extremely cooperative. He said the Board's goal tonight is to implement a plan, and that plan should include sending a letter to these departments asking them to set aside all of the reserve amounts the Finance Committee has recommended with the expectation that at the end of the fiscal year they will be turning that money in as unexpended appropriations. Mr. Hult said he would agree with this approach, but he suggested giving the departments a last chance appeal. He said maybe there is something on their budget cuts they might not be able to really cut after-all.

On a motion made by Mr. Williams and seconded by Mr. Hult it was unanimously **VOTED** to implement by the way of a letter to the Boards as recommended by FinCom January 26, 2009 asking that they don't expend these funds and that they be return as unexpended appropriations with a letter spelling out the process by which they arrived at these particular departments and asking if there is are any further comments or reasons to not expect this to occur.

### **Executive Session**

At 10:08 a motion was may by Mr. Williams, to go into Executive Session to discuss both non-union and union contract negotiations, not to return to open session. The motion was seconded by Mr. Tice and the following roll call vote was taken: Stevenson – aye; Williams – aye; Hult – aye; Carpenito – aye; and Tice – aye.

Respectfully submitted by Margaret M. deMare.